G.R.S. IX—5]

Previous references.

1922.

(mund)

File No. 174-22

Serial Nos. 2 & 4

Later references.
Rl 174-22 8367

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2 & 4

Part B for 2 3

SUBJECT

Amendment to rule 14 (C) of the Darjeeling Town Recd. re. the levy of toll on Vehicles & animals etc.

4. To

The Dy Comm.r
Chittagong Dt.

No L.667 dt 23.7.23

Sanctions the proposed substitution of rule 14 of the Dn. A Rs. for Condition no. 14 C in the appendix to the orders dt 21.3.23 issuing instructions for the working of the auction sales of the Ct & Rct toll Gates fees and market fees.

G. R. S. 69]

GENERAL AND REVENUE SECRETARIAT.

1913-14
(Education)

File No. 138-13

Serial Nos. 102

Papers Filed.

Month October 1913

SUBJECT.

Petition of Gnanamuttyachar, Sravana-belagola for help to prosecute studies

PREVIOUS REFERENCES.	LATER REFERENCES.
	From 24-10. 8 to 9-3-2

24-5-14
5-12-13

G. R. S. 1 1922.

GENERAL AND REVENUE SECRETARIAT.

(Pol)

NOTES.

File No. 174-22

FILE HEADING.

Levy of tolls in Municipalities

From

The Dep. Commr. Chitaldrug Dt

No. C261 Dated 24-5-22 Received 5-6-23

Diary No. 6162	Enclos.	Spare Copies.	Serial No. 2

BRIEF ABSTRACT OF LETTER.

Forwards for orders · letter from the President of the Davangere T.M.C. proposing the substitution of rule No 169 of the Account Manual for clause (c) of rule 14 of the notification approved in G.O.No 1 643757/D 2633

NOTES AND ORDERS.

No. C26(2) 12-6-23 from the same officer requests early orders re: the proposal made above.

The T.M.C. propose that in place of Condition 14(c) in the form of sale notification approved in G.O. 24-3-23 the provision of 169 of the Fin. Account Manual may be

Notes—First Sheet.

Serial No.

Substituted. The rule in the Account Manual runs as follows -

No more than one payment of toll shall be demanded at any toll bar gate, or station in respect of any vehicle or animal in any one period 24 hours counted from sunrise to sunrise Provided that when toll has been paid at any toll bar, gate or station in respect of any vehicle or animal laden or ridden, the difference between such toll & the toll payable in respect of such vehicle or animal shall be payable, if such vehicle or animal passes through such toll bar gate laden or ridden within such period. While the condition in 14(c) approved in [illegible] 21.3.23 is to the following effect

No toll shall be levied afresh on any cart etc., passing along the toll gate if within a period of 24 hrs computing from sunrise to sunrise, a toll has been collected thereon at a toll gate in the Mysore State or a tollgate in British India in respect of which the Government have recourse

Note—Contn. sheet.

G. R. S. III-2]

(3

General and Revenue Secretariat.

File No. 1711 of 19 22

Serial No.

reciprocity for exemption in consultation with the British authorities. The provision of the rules & the conditions are identical. The President's letter is not clear as to how the proposed substitution will be advantageous to the Municipal Council. Submitted for orders.

The Both the rules referred to are not identical. The rule in the Municipal Account Manual refers to the levy of tolls at one & the same toll gate. The latter refers to the levy at different toll gates. ~~The representation of the Secretary Madras is deserving favourable consideration~~

HHK

On the reference noted 4/7/1923 the proposed levy of tolls by the Chittoor Municipal Council has been pleased to record the following Minute on 4.7.1923

"At present tolls affect through traffic only

It may be suggested to the

5274
Rel 19-22-59

NOTE—Contn. sheet.

R. S. III-2]

General and Revenue Secretariat.

ML File No. 174 of 1922

Serial No.

the Municipal Council the advisability of framing a rule to the effect that if toll has been paid on a vehicle or animal and within 24 hours of the entry within the Municipal limits in any part of Mysore, no further toll will be levied by the Municipal Council."

HK
9.7.1923

(First Member)

For orders

13.7.23

408
13/7/23

Municipal Revenue Code rule 14 [illegible] contemplates the [illegible] does not [illegible] it makes no provision for [illegible] suggested.

14/7 [illegible]

Draft for [illegible] for approval

14.7.23

HK
23

Note—Contn. sheet

F. R. S. III-21

General and Revenue Secretariat. | Rel File No. 174 of 1922.

Serial No.

Issue the draft at once
23.7.23

4 To The Dy Comm'r, Chitaldrug
No L 667 B 23.7.23

Sanction the proposed substitution of rule 169 of the M. A. M. for condition no 14 C in the appendix to the order dated 21.3.23. issuing instructions for the working of the Kuchinkai Sales of the Toll gates etc. and market fees

Note—Contin. sheet.

C261 Mu 22-23

2111

From

Office of the Deputy Commissioner,
Whitaldrug District.
Dated Whitaldrug, 21st July 1923.

N.B.—The names of the Sarkar, if unpopulated, in capitals after the land

From

To

Dated

Despatched

Received

General No

No

Enclosure No.

261 Ml 22-23 Rev

Office of the Deputy Commis
Chitaldrug District,

41237 Dated, Chitaldrug, 29th May 1923.

From

R.Nanasamy Rao, Esquire,
Offg. Deputy Commissioner, Chitaldrug District,
Chitaldrug.

To

T.E.Jayaram Iyer, Esquire, B.A.,B.L.,
Secretary to Government, Revenue Department,
Bangalore.

Sir,

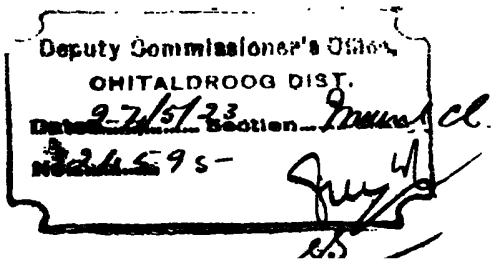
In forwarding herewith in original the letter No. 964 dated he 25th May 1923 with its 2 enclosures addressed direct to you, rom the President, Town Municipal Council, Davangere, proposing ertain amendment to the Rule 14 (C) laid down in Government Order No. L.6437-57/Ml. 174-22-1 dated the 21st March 1923 Re: the levy of Toll on vehicles and animals &c., I have the honour to observe that Rule 14 (C) referred to above appears to relate to Through Traffic only and it is seen from the enclosed sale notification that the Municipal Council Davangere intends/ to levy Toll on Incoming Traffic and as such I do not think that the Municipal Council is prevented by Rule 14 (C) from levying fresh Toll on carts when they enter into their Municipal limits and intend to halt in the Town.

I request that needful orders may be kindly passed in the matter.

I have the honour to be,
Sir,
Your most obedient servant,
C Ramachandra Rao
for Deputy Commissioner,
Chitaldrug District.
(absent from Hd. quarters)

Dept Comm's interpretation seems correct & the may perhaps be asked inform the Municipality accordingly

Tolls can be levied only when enter the Municipal limits & not when they town under the Regulation. No Rule can made to collect Tolls on carts that through & those that intend to halt in the town. Enforcement of under Rule 14(C) will work much hardship to people the recommendation cannot perhaps be allowed



26/5/23

19

From The President,
Town Municipality,
Davangere.

To
The Revenue Secretary,
the Government of
Mysore
Bangalore.

Through
Dated 25.5.23 The Deputy Commissioner
Chitaldrug.

Despatched

Received

General No. Misc 964
No.

Enclosure No. 2

Sir,

I have the honour to state that in accordance with the Government order No. L.6437-57/Ml.174-22-3 dated 21st March 1923 the notification of sale of right to collect Tolls in this Municipality during 1923-24 was prepared and the same was published in the Mysore Gazette fixing the date of sale to the 23rd instant. The sale was conducted on the date fixed for the same and the bid did not go beyond Rs 13000/-. As there was a heavy fall in the revenue as compared with present year's contract amount viz. Rs 18085/- the bid was not knocked down. It was felt that this large decrease was due to the condition laid down in clause of para 14 of the notification. The subject was therefore placed before the Council meeting held on this day

nt

may be requested to delete the said clause and to introduce in its place rule 169 of the Municipal Account Manual. A copy of the resolution is herein enclosed together with a copy of sale notification for kind information. The Members were also of opinion that the time limit laid down in the Government order mentioned above was likely to be made use of by unscrupulous contractors to gain their own ends and that there was every likelihood of their not noting the proper hour and date in the receipts given for the payment of the toll in another place.

I, therefore, request you to kindly obtain sanction of Government in the matter of altering the clause (c) of para 14 of the notification as resolved by the Council in the interests of Municipal Revenue. The orders of Government may kindly be obtained at a very early date as the sale has to be held before the end of the current Official year after allowing sufficient time for wide publicity.

I have the honour to be,

S I R,

Your most obedient servant,

25/5/23

PRESIDENT,

Davangere Town Municipality.

25/5/23

Proceedings of the ordinary meeting of the Davangere Town Municipal Council held on. 25-5-.1923

President-

M. Chinnaraja urs Esquire B.A; L.L.B.

Present.

Vice-President-

Mr. T. M. Onkarappa Absent-

Present-	Ex-officio members.	Absent-
Nil		2
	Non-official members	
8		6.

Subject No.

XXXV Re- the sale of Toll for 1923-24 Conducted on 23-5-1923. There were no bids beyond Rs 13000/-. As such the final bid was not knocked down

Resolution

Many carts come to this Municipality from Harihar which is only 9 miles from Davangere. In case the recent Government-order is given effect to no toll should be levied in this Municipality on carts coming from Harihar or through it. So there was only a bid of Rs 13000/- this year in lieu of the bid of Rs 18025/- for the last year. The council therefore resolved that- in view of the large decrease in the toll revenue of this Municipality and the malpractices that may be practised by the contractors. Government- may be requested to delete clause (c) of para 14 of Government-order No. L. 6437-57- Mis. 174-22-1 dated 21-3-1923

and

that in its place the condition laid down in Rule 169 of the Municipal Account Manual may be introduced.

(Sd) M. Shivanaja Urs
President
25-5-23.

"Copy"

For President
Town Municipality
Davangere
25-5-23.

DAVANGERE TOWN MUNICIPALITY.

Notification.

The right to collect tolls at the toll-gates as noted in Schedules A and B during the official year 1923-24, will be sold by public auction at the places and on the dates specified against each gate.

2. Persons intending to bid at the sale must attend in person or by a duly accredited agent. Every such person should deposit beforehand an amount equal to one-sixth of the contract amount for the previous year as shown in Schedule A, as earnest money. The deposits of all the bidders except the first two or three whose bids are to be recommended for acceptance will be returned at the close of the sale. The deposit of the successful bidder who will be called the contractor will be returned only on fulfilment of the contract. The deposits of the remaining bidders will be returned soon after the confirmation of the sale.

3. The sale will not become absolute until confirmed by the authority noted in Schedule A who reserves the final power of refusing or accepting without assigning any reason whatever, the highest or any bid that may be offered.

4. The contractor shall within fifteen days of the receipt of information of confirmation of the sale in his favour, execute an agreement on a duly stamped paper binding himself and his heirs to observe the conditions hereinafter set forth and to be subject to the penalties, forfeitures and liabilities referred to therein and shall furnish, if he does not hold property in Mysore, at least two sureties who own sufficient properties in the Mysore State for the due performance of the contract.

5. The contract shall not be transferred by sale, gift or otherwise or sub-leased without the previous sanction of the Municipal Council.

6. The contract amount shall be paid in twelve equal monthly instalments in advance on the 1st day of every month into the Municipal Office.

7. The contractor shall have no claim to the fees recovered from persons compounding the payment of toll in accordance with the Standing Rules and Orders approved by Government. He shall also pay along with the instalments, the authorised Local Railway and Educational Cesses, if any, at the prescribed rates.

8. Interest at 9 per cent per annum shall be levied on all overdue amounts still date of payment.

9. The contractor shall collect tolls only at the rates and at the gates on the traffic specified in Schedules A and B.

10. The contractor shall give to the person paying the toll a proper receipt showing the date and hour of payment of toll.

11. The contractor shall keep at the toll-gate, true accounts of the daily collections and of the traffic passing through the toll-gate. These accounts shall be open to the inspection of the Municipal President. He shall, if required by the Municipal President, furnish to the office at the end of every month, a true return for the month showing the traffic passing through the gate in the prescribed form.

12. The contractor will have the use of the existing toll-house and gate without payment of any rent, and he should keep them in good repair, failing which, the cost of repair will be recovered from him. If any toll-gate or house is required, it will be put up at the cost of the Municipal Council.

13. The contractor shall not be entitled to any remission of the contract amount or to any compensation on account of seasonal conditions or any other cause whatever.

14. The contractor shall conform generally to the rules published in the late Chief Commissioner's Notification No. 274, dated 1th November 1876, and the rules issued under the Local Boards and Village Panchayets Regulation or the rules framed by the Municipal Council under the Municipal Regulation. He shall recognize all exemptions made by the statute or rules in force for the time being. He shall pay special attention to the following points:—

(*a*) A table of authorized tolls shall be legibly written in English and Kannada and shall be put up in a conspicuous place near toll-gate.

(*b*) Animals drawing any vehicles for which tolls can be demanded are not also to be charged with toll.

(*c*) No toll shall be levied afresh on any cart, etc., passing along the toll-gate if within a period of 24 hours computing from sunrise to sunrise, a toll has been collected thereon at a toll-gate in the Mysore State or a toll-gate in British India in respect of which the Government have secured reciprocity for exemption in consultation with the British authorities.

(*d*) Carts laden with bone or other substance as manure shall be treated as unladen and tolled accordingly.

(*e*) No toll shall be levied on foot passengers.

(*f*) No tolls shall be levied for the passage of Troops or Military Stores or equipages or of Police Officers on duty of any person or property in their custody or of any property *bona fide* belonging to Government as established, where proof is required by the production of a pass or certificate from any officer of the department to which the property belongs, authorised by the Deputy Commissioner or by Government to grant such certificates or passes, which pass or certificate shall be delivered up at the last toll-gate passed before the cart, carriage, or animal, conveying such property reaches the destination noted in such pass or certificate.

(*g*) No toll shall be levied for the passage of traffic, cars, animals, etc.

(1) Belonging to the Municipal Council.

(2) Conveying Municipal servants on duty or property in the custody of such servants.

(3) Licensed by the Municipal Council.

(4) Assessed by the Municipal Council to Municipal taxation provided the tax has been paid in advance.

(5) Possessed by a person who has compounded with the Municipal Council prescribed sum in accordance with the rules approved by Government.

(6) Engaged by the Postal Department to convey mails.

(7) Belonging to the Hon'ble the British Resident in Mysore.

(8) Belonging to Government servants travelling on duty who are certified by their respective immediate superiors as being not entitled to travelling allowance.

(9) Belonging to His Highness the Maharaja or His Highness the Yuvaraja.

15. Any breach of the above conditions or rules on the part of the contractor or his servants will entitle the forfeiture of the deposit or the levy of a fine not exceeding Rs 50 for each infringement. If the fine be not paid or in the event of instalments or other sums due are not paid within the prescribed date, it shall be competent to the President to suspend further collection of toll by the contractor and dispose of the right to collect the toll during the remaining period by a resale or otherwise. The sale will be held at the risk of the defaulting contractor who shall be liable to make good all losses accruing, but shall not be entitled to any profits arising from the resale.

16. The imposition of fine or resale of the contract shall be no bar to the prosecution of the contractor or his employees for any offence or to the institution of other legal steps against them under any law in force for the time being.

M. CHENNARAJA URS,
President.

SCHEDULE A.

1.	Name of toll-gate	Davangere Town Municipal toll-gates.
2.	Situation of the gate	On the Town limits.
3.	Whether toll is to be levied on through traffic, incoming traffic, or outgoing traffic.	Incoming traffic.
4.	Traffic specially exempted from payment of toll on account of the peculiar situation of the toll-gate or the special requirements to the people near the toll-gate	Nil.
5.	Amount of deposit required	Rs. 3,005.
6.	Place of sale	Chamarajendra Memorial Hall, Davangere.
7.	Date of sale	23rd May 1923. / P.M
8.	Officer conducting the sale	The President, Town Municipal Council, Davangere.
9.	Officer confirming the sale ...	The Municipal Council, Davangere.
10.	Remarks.	

SCHEDULE B.

Details of traffic.	*Rate.*
Every laden cart or carriage	0 4 0
Every empty do	0 2 0

N.B—Carts carrying firewood, fodder and thatch should be treated as unladen for the purpose of levying tolls.

G R S VI (A 34)

SUBJECT..... all .....

.....

.....

Diary No. of letter replied to... 6162

Section ML

File No. 174-22

Serial No.

General and Revenue Secretariat

(Ely)

, the *192*

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 23/7/23

Signed by mean

Read— Go. No L 6437-57 ML 174-22 & the 21st Mar 1923 directing instructions in regard to the working of auction sales in respect of Local Fund and Municipal tolls & Market fees.

2. Letter No C 261 ML 22-23 & the 29th May 1923 from the Asst Commr Chitaldrug Dist. requesting sanction for suitably fixing Rule 169 of the Manual of Account Manual & Circular No 114 (c) in appendix to the order of the 21st March 1923 read above with reference to the Toll-Gates established

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

~~Order Thereon~~ No.

by the Town Municipal Council
of Savanur, as framed
by the Municipal Council

Order No. 667 dated 20-1-23

Sanctioned. The proposal
of the Savanur Municipal
Council is sanctioned

Sd/-
for Secretary to Govt
Revenue Dept

Sd/-
23.7.23

To The Dy Commr, Dharwar

List of enclosures.

Copied by

Examined by

WD MD.-SFP—1,000,000.-01-1923